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October 3, 2017

The Honorable Joseph F. Bianco
United States District Court, EDNY
Alphonse M. D'Amato Federal Building
100 Federal Plaza
Central Islip, NY 11722-4454

Re: USA v. Michael Smith

United States District Court, EDNY
14 CR 485 (JFB)

Dear Judge Bianco:

Please recall that I represent defendant Michael Smith in the above matter.

When we last appeared before you at a status conference on September 19, 2017, you requested that I inform you of Mr. Smith's decision to have another CJA attorney assigned to represent him to evaluate the merits of making a motion to withdraw Mr. Smith's plea of guilty. Please recall that I previously determined that such a motion would be frivolous.

Despite requesting a response from Mr. Smith by email, he has failed to do so.

Therefore, kindly accept this request for another status conference to determine the assignment of other CJA counsel.

Thank you.

Very truly yours,

ANTHONY M. LA PINTA
AML:mm

cc: Christopher Caffarone, Esq. (by ECF)